

Checklist - Consensual Monitoring (CM) - Telephone (Criminal Matters)
FD-670 (Rev. 9-10-87)

Execute, serialize and retain in a separate sublettered file to the case file. Additional sheet(s) may be attached to this form as necessary to enter data regarding any item below. Each sheet attached should be numbered as an additional page and reflect the item number being continued.

Serial Number	Initials
1. It will be the responsibility of the case Agent and his/her supervisor to ensure compliance with these instructions.	
2. Review MIOG, Part II, Sections 10-9, and 10-10 through 10-10.2.	
3. Contact with Squad Supervisor.	
4. Ensure availability of equipment and necessary support.	
5. Opinion of USA obtained prior to CM and confirmed in writing.	
6. Memo to SAC for authority, initialed by Squad Supervisor, that includes brief facts of case, opinion of USA and consent of party obtained.	
7. Tickler set for expiration of authorization, if appropriate.	
8. Execute FD-472 and retain as evidence. Joe Simon	
9. Contact with ELSUR support employee for coordination of necessary recordkeeping.	
10. Contact with appropriate employee for equipment and necessary support (only after proper authorization).	
11. Mark Recording for Identification purposes. See MIOG, Part II, Section 16-8.1.2.	
12. Execute FD-504 in its entirety for each original tape at the time the tape is initially removed from the recording device or accepted into custody by the FBI.	
13. Complete FD-192 and attach to FD-504. Handcarry to ELSUR tape custodian for duplicating and retention. Assure adherence to 5-day evidence control rule.	
14. Ensure FD-504 sealed and accepted into custody by the tape custodian.	
15. ELSUR indexing completed.	
16. Stamp "ELSUR" on file jacket of Vol. I and all subsequent volumes to the case file.	
17. Review case file and notify ELSUR support employee in writing (by routing slip or memo) of the full name, initial overhear date and subsequent overhear dates of any individual monitored previously, but not sufficiently identified for ELSUR indexing purposes.	
18. Supervisor's initials and date certifying compliance with above procedures.	

ELA1-2

ELA1-2

Automated

n/a

(Date)

b6
b7C

Start: 1/12/98
Duration

**TOP SERIAL-
DO NOT SERIALIZE**

SA

87B-NH-37213

cm-telephonic

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/12/1998

To: NH

Attn: Merrill S. Parks, Jr.

From: [REDACTED]

Squad 5

~~W~~ **Approved By:** [REDACTED]

Drafted By: [REDACTED] ds

Case ID #: 87B-NH-37213 (Pending)
87B-NH-37213 ELA

Title: UNSUB(S);
Theft of D.C. Comics Artwork;
Valued at approximately \$100,000.00;
VICTIM-JOE SIMON, NEW YORK, N.Y.
ITSP

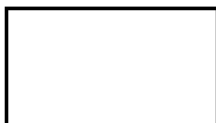
Synopsis: Request for opening of ELSUR subfile for consensual recordings.

Details: It is requested that a subfile be opened for consensual monitorings.

♦♦

b6
b7C

OK



SEARCHED	INDEXED
SERIALIZED	FILED
JAN 13 1998	
FBI - NEW HAVEN	

W

Com. c. ELA

87B-NH-37213-ELA1-1

To: Director, FBI (87B-NH-37213)
Attn: CID, _____ Section _____

Date: _____

For FBI Field Office use only
CM#:From: SAC, New Haven (_____) (_____)Title: UNSUB (S);
Theft of D.C. Comics Artwork;
Valued at Approximately \$100,000
Victim - Joe Simon, New York, NY
Possible ITSPNotification of SAC Authority Granted for Use of
CONSENSUAL Monitoring Equipment
(Check only ONE)

- ☒
- Routine Use
-
- ☐
- Emergency Use-Sensitive Circumstances (cannot exceed
-
- 30 days & may be extended only by FBIHQ).

This form must be typewritten & submitted within 10 working days
of the date authority is granted as shown in Item 5 below.

1. Reason for Proposed Use: (Check) <input type="checkbox"/> Corroborate <input type="checkbox"/> Protect <input type="checkbox"/> Protect <input checked="" type="checkbox"/> Collect Testimony <input type="checkbox"/> Consenting Party <input type="checkbox"/> Government Property <input type="checkbox"/> Other (Specify) _____		2. Type of Equipment: (Check) <input checked="" type="checkbox"/> Transmitter/Receiver <input checked="" type="checkbox"/> Concealed Recorder <input type="checkbox"/> CCTV/Audio & Video <input type="checkbox"/> CCTV Video only <input type="checkbox"/> Microphone <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Other (Specify) _____	
3. Consenting Party (Identify <u>ONLY</u> on Field Office Copy) <input checked="" type="checkbox"/> Nonconfidential Party <input type="checkbox"/> Confidential Source <input type="checkbox"/> Cooperative Witness <u>J. Simon</u>		4. Interceptee(s): (Include Title if Public Official) <div style="border: 1px solid black; height: 20px; width: 100px;"></div> & others as yet unknown.	
5. Duration of proposed use: Authorized On: <u>01/12/98</u> <input checked="" type="checkbox"/> For the duration of investigation <input type="checkbox"/> For 30 days (Emergency NTCM usage) Expiring On: _____	6. Equipment Concealed: <input checked="" type="checkbox"/> In a Motel Rm. <input checked="" type="checkbox"/> In a Telephone <input type="checkbox"/> In a Residence <input checked="" type="checkbox"/> On a Person <input type="checkbox"/> In a Vehicle <input type="checkbox"/> Other (Specify) _____		7. City & State where Equipment will be used: <u>New York, NY</u> <u>And/Or Stamford, CT</u>
8. The following mandatory requirements have been met: <input checked="" type="checkbox"/> Consenting party has agreed to testify; <input checked="" type="checkbox"/> Consenting party has executed a consent form; & <input checked="" type="checkbox"/> Recording/transmitting device will be activated only when consenting party is present.		9. Government Attorney in judicial district where monitoring and/or recording will take place has been contacted; foresees no entrapment; & concurs in the use of the technique. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date of Contact: <u>01/12/98</u> Identity of Gov't Atty: <u>Connecticut</u> Judicial District: _____	
10. Violation(s): Title(s) <u>18</u> Sec(s) <u>1341 & 1343</u> USC			
11. DOJ notification required <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. If "Yes" check reason below: NOTE: Requests for Routine NTCM usage involving any of the 7 sensitive circumstances requires a teletype to HQ prepared in the format described in the MIOG, Part II, Section 10-10.3 (8). Request for Emergency NTCM usage involving Item 6 below requires immediate contact with the FBIHQ substantive desk for DOJ approval. The 7 sensitive circumstances do not apply to the use of CCTV video only.			
1. <input type="checkbox"/> Interception relates to an investigation of a member of Congress; a Federal Judge; a member of the Executive Branch at Executive Level IV or above; or a person who has served in such capacity within the previous 2 years. 2. <input type="checkbox"/> Interception relates to an investigation of any public official and the offense investigated is one involving bribery; conflict of interest; or extortion relating to the performance of his/her official duties. 3. <input type="checkbox"/> Interception relates to an investigation of a Federal law enforcement official. 4. <input type="checkbox"/> Consenting/nonconsenting party is a member of the diplomatic corps of a foreign country. 5. <input type="checkbox"/> Consenting/nonconsenting party is or has been a member of the Witness Security Program and that fact is known to the agency involved or its officers. 6. <input type="checkbox"/> Consenting/nonconsenting party is in the custody of the Bureau of Prisons or the U.S. Marshals Service. 7. <input type="checkbox"/> Attorney General; Deputy Attorney General; Associate Attorney General; Assistant Attorney General for the Criminal Division; or the U.S. Attorney in the district where an investigation is being conducted has requested the investigating agency to obtain prior written consent for making a consensual interception in a specific investigation.			
12. Synopsis of Case: (Attach additional page if necessary) Subject <u>[redacted]</u> offering to sell artwork which is reported stolen. A CI will introduce a UCA to subject for Buy / Bust. Possible fraud violations may also exist.			

13. Justification statement necessitating emergency authorization:

- ☐
- Emergency 30 day authorization granted due to imminent need (within 48 hours) for use of consensual monitoring device(s), which precluded the handling of this request in the usual manner.
-
- ☐
- Other (Attach Additional Page to Specify)

2 Bureau (1-Main File)

87B-NH-37213

COPY 1

Field Approval

14. CDC (If Sensitive Circumstances Exist)

Signature _____ Date: _____

15. SAC

Signature Michael A. Laro Date: 1/26/98

FBIHQ Approval

16. Unit Chief (If Sensitive Circumstances Exist)

Signature _____ Date: _____

87B-NH-37213-EUA1-2